

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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STATE OF NEW YORK, STATE OF CALIFORNIA,  
STATE OF ILLINOIS, STATE OF MARYLAND,  
PEOPLE OF THE STATE OF MICHIGAN, STATE OF  
MINNESOTA, STATE OF OREGON, STATE OF  
VERMONT, and COMMONWEALTH OF VIRGINIA,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL PROTECTION  
AGENCY; ANDREW WHEELER as Administrator of  
the UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY; and SUSAN PARKER  
BODINE as Assistant Administrator of the UNITED  
STATES ENVIRONMENTAL PROTECTION  
AGENCY,

**[PROPOSED]  
ORDER GRANTING  
PLAINTIFFS'  
MOTION FOR A  
PRELIMINARY  
INJUNCTION**

20-CV-3714

Defendants.

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The Court has read and considered the memorandum of law and other documents in support of and in opposition to the Motion for a Preliminary Injunction filed by Plaintiffs (States) and has heard and considered the arguments of counsel on this matter.

NOW, THEREFORE, good cause appearing, the Court GRANTS the States' Motion for a Preliminary Injunction.

Specifically, the Court FINDS and DECLARES that the States have demonstrated a likelihood of success on their claims that Defendants violated the Administrative Procedure Act when it issued its March 26, 2020 policy entitled "COVID-19 Implications for EPA's Enforcement and Compliance Assurance Program" (Policy). Further, the States have demonstrated that the Policy will irreparably harm the States, and that the balance of the equities and public interest support the requested injunction. The Court also finds that an injunction of the Policy without geographic limitation is appropriate and required.

Therefore, the Court enjoins the Policy pending the resolution of this lawsuit.

**IT IS SO ORDERED.**

Dated:

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Hon. Colleen McMahon  
Chief District Judge